

CHAPTER 129.

DESTRUCTION OF WEEDS.

H. F. 461.

AN ACT to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Destruction on highways. That the law as it appears in section three (3) of chapter ninety-six (96) of the acts of the thirty-third general assembly be and the same is hereby amended by inserting after the word "trustees" in line twenty-two (22) of said section a comma and the words "or county supervisors".

SEC. 2. Road funds or general funds may be expended. That the law as it appears in section four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly be and the same is hereby amended by inserting after the word "road" in the last line of said section a comma and the words "or general", and by striking from line 2 of said section four the word "public."

SEC. 3. In effect. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Register and Leader, and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 28, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 130.

REGISTRATION AND REGULATION OF MOTOR VEHICLES.

S. F. 250.

AN ACT to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22), of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, and to enact substitutes therefor, relating to the registration and regulation of motor vehicles.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repeal—terms defined. That section two (2) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The term "motor vehicle" as used in this act, except where otherwise expressly provided, shall include all vehicles propelled by any power other than muscular power, except motor trucks, motor drays, motor delivery

wagons, traction engines, road rollers, fire wagons and engines, police patrol wagons, ambulances and such vehicles as are run only upon tracks or rails. The term "local authorities" shall include all officers of counties, cities or towns, as well as all boards, committees or other public officials of such counties, cities or towns. The term "chauffeur" shall mean any person operating or driving a motor vehicle as an employee or for hire. The term "owner" shall also include any person, firm, association or corporation renting a motor vehicle or having the exclusive use thereof, under a lease or otherwise, for a period greater than thirty days. The term "public highways" shall include any highway, county road, state road, public street, avenue, alley, park, parkway, or public place in any county, city, town or village, except any speedway which may have been or may be expressly set apart by law for the exclusive use of horses and light carriages. The terms "motor drays", "motor trucks" and "motor delivery wagons" shall include only such described vehicles which have a speed capacity of not more than 10 miles per hour, and which shall be built for and used exclusively for trucking, draying or delivering.

SEC. 2. Repeal—registration number—two number plates—duplicates—fee. That section six (6) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Upon the filing of such application and the payment of the fee hereinafter provided, the secretary of state shall assign to such motor vehicle a distinctive number and, without expense to the applicant, issue and deliver or forward by mail or express to the owner a certificate of registration, in such form as the secretary of state shall prescribe, and two number plates. In the event of the loss, mutilation or destruction of any number plate, the owner of a registered motor vehicle, or manufacturer or dealer, as the case may be, may obtain from the secretary of state a duplicate thereof upon filing in the office of the secretary of state an affidavit showing such facts and the payment of a fee of one dollar; duplicate certificates of registration may be issued by the secretary of state, in like cases, without the payment of any fee therefor.

SEC. 3. Repeal—registration renewed annually—date of expiration. That section seven (7) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Registration shall be renewed annually in the same manner and upon the payment of the annual fee as provided in section eight (8) for registration, to take effect on the first day of January in each year; provided, that the secretary of state shall withhold the re-registration of any motor vehicle the owner of which shall have failed to register the same for any previous period or periods for which it appears that registration should have been made, until the fee for such previous period or periods shall be paid. All certificates of registration issued under the provisions of this act shall expire on the last day of the calendar year in which they were issued.

SEC. 4. Repeal—annual registration fee—half rate. That section eight (8) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The following fee shall be paid to the secretary of state upon the registration or re-registration of a motor vehicle in accordance with the provisions of this act; eight dollars (\$8.00) upon the registration of a motor vehicle hav-

ing a rating of twenty (20) horse power or less; and for each such vehicle which shall exceed twenty (20) horse power in rating, the owner shall pay at the rate of forty (40) cents per horse power; provided, that if a motor vehicle shall have been licensed for four separate successive years under the laws of this state, and for which there shall have been paid four registration fees as provided by statute therefor, or any motor vehicle which shall have been in use for a period of not less than four years prior to August first of such registration period for which registration is about to be made, the annual registration fee thereafter shall be one-half that amount; and further provided, that the annual fee for the registration or re-registration of any electric or steam motor vehicle in accordance with the provisions of this act shall be fifteen dollars (\$15.00); and further provided, that the annual fee for the registration or re-registration of a motor bicycle or motor cycle in accordance with the provisions of this act shall be three dollars (\$3.00); and provided further, that the fee for registering any theretofore unregistered motor vehicle under the provisions of this act, which motor vehicle shall be purchased on or after August first of any year, shall be one-half of the annual fee therefor, for the remainder of that calendar year; and provided further, that each manufacturer or dealer selling or otherwise disposing of motor vehicles, theretofore unregistered in this state, to residents of this state shall report to the secretary of state each such sale made on or after August first of each calendar year; such reports shall be made on blanks to be furnished by the secretary of state upon request, and shall be made in such manner as he may direct; and provided further, that no motor vehicle shall be registered for less than the annual fee because of its having been purchased on or after September first until such manufacturer's or dealer's report shall have been filed as herein provided.

SEC. 5. May operate 15 days after purchase—application. That section eleven (11) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Upon the sale of a motor vehicle by a manufacturer or dealer, the vendee shall at once make application by mail or otherwise for registration thereof, after which he may operate the same upon the public highways without its individual number plates thereon for a period of not more than fifteen (15) days, providing that during such period the motor vehicle shall have attached thereto, in accordance with the provisions hereof, metal number plates to be furnished by the secretary of state to the dealer as provided in Sec. 15 bearing the registration number of the manufacturer or dealer under which it might previously have been operated for demonstration purposes; and provided further, that no manufacturer or dealer shall permit the use of his demonstration or registration number by such vendee until application for registration be so made as aforesaid, and it shall be his duty to assist the vendee in making out and filing his said application for registration, and for that purpose to keep on hand a supply of blanks to be furnished by the secretary of state upon request.

SEC. 6. Repeal—dealers' numbers—application—plates—duplicates—fee. That section fifteen (15) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Every person, firm, association or corporation manufacturing or dealing in motor vehicles may, instead of registering each motor vehicle so manufactured or dealt in, make a verified application upon a blank to be furnished

by the secretary of state, for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer, such application to contain:

(a) A brief description of each style or type of motor vehicle manufactured or dealt in by such manufacturer or dealer, including the character of the motive power, the amount of such motive power stated in figures of horse power in accordance with the rating established by the association of licensed automobile manufacturers; and

(b) The name, residence, including county and business address, of such manufacturer or dealer.

On the payment of a registration fee of fifteen dollars (\$15.00) such application shall be filed and registered in the office of the secretary of state in the manner provided in section three of this act. The secretary of state shall thereupon assign and issue to such manufacturer or dealer a general distinctive number, and without expense to the applicant, issue and promptly deliver to such manufacturer or dealer a certificate of registration in such form as the secretary of state shall prescribe, and two number plates with a number corresponding to the number of such certificates of registration.

Such number plates or duplicates thereof shall be displayed by every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon the payment to the secretary of state of one dollar for each duplicate set, provided that if a manufacturer or dealer has an established place of business in more than one city or town, such manufacturer or dealer shall secure a separate and distinct certificate of registration and number plates for each such place of business. Nothing in this section shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use or for hire, which said motor vehicle or vehicles shall be individually registered as provided in sections seven (7) and eight (8) of this act, but no dealer or manufacturer shall be required to keep more than one car registered for his private use.

SEC. 7. Repeal—dealers to register annually. That section sixteen (16) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Registration provided for in section fifteen (15) shall be renewed annually in the same manner and on the payment of the same fee as provided in section fifteen (15) for original registrations, such renewal to take effect on the first day of January of each year. The provisions of section seven (7) relating to renewals and duration of renewals under this act shall apply to registrations and re-registrations under this section. Within sixty (60) days after the first of January annually, the secretary of state shall prepare and forward to the county attorney of each county a list of the owners of motor vehicles in said county, who may have failed or neglected to pay the registration fee required by this act, whereupon the county attorney shall immediately proceed to enforce the provisions of this act, as herein provided.

SEC. 8. Repeal—penalty. That section twenty-two (22) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The violation of any of the provisions of sections from three to fifteen, both inclusive, of this act shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars; provided, that on conviction for a violation

of sections eight and twelve hereof, or either of them, in case such motor vehicle shall not have been registered as required by this act, the court shall enter judgment against and collect from the person or persons so convicted, in addition to the penalty hereinabove provided, such sum as may be sufficient to pay the proper registration fee for said motor vehicle so unlawfully driven or operated, and forward such fee to the secretary of state at once, for the proper registration of such motor vehicle.

SEC. 9. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 12, A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 131.

REGULATION OF MEETING AND PASSING VEHICLES ON THE PUBLIC HIGHWAY.

H. F. 490.

AN ACT to regulate the passing of automobiles or other vehicles by another travelling in the same direction. [Additional to chapter two (2) of title eight (VIII) of the code, relating to roads and highways.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repeal—turning to right—rule when approaching from rear—penalty. That section 1569 of the code be and the same is hereby repealed and the following enacted in lieu thereof: "Persons on horseback, or in vehicles, including motor vehicles, meeting each other on the public highway, shall give one-half of the beaten path thereof by turning to the right. Whenever a person in any vehicles shall approach from the rear upon the public highway and desire to pass, it shall be the duty of the driver or operator of such vehicle ahead to give one-half of the beaten path thereof, upon proper signal or request by turning to the right. The vehicle approaching from the rear shall turn to the left and shall not return to such road or path within less than thirty feet of the team or vehicle which has been passed; provided, however, that such vehicle need not give such right-of-way when it would jeopardize the safety of the driver or operator to do so. Failure to comply with the above shall be deemed a misdemeanor and punishable as such".

Approved April 16 A. D. 1913.